

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish an Outdoor Restoration Fund for restoration and resilience projects, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To establish an Outdoor Restoration Fund for restoration and resilience projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Outdoor Restoration  
5 Partnership Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COUNCIL.—The term “Council” means the  
9 Restoration Fund Advisory Council established by  
10 section 4(a).

1           (2) COVERED AUTHORITY.—The term “covered  
2 authority” means—

3           (A) the good neighbor authority estab-  
4 lished by section 8206 of the Agricultural Act  
5 of 2014 (16 U.S.C. 2113a);

6           (B) the Water Source Protection Program  
7 under section 303 of the Healthy Forests Res-  
8 toration Act of 2003 (16 U.S.C. 6542);

9           (C) the Watershed Condition Framework  
10 established under section 304 of the Healthy  
11 Forests Restoration Act of 2003 (16 U.S.C.  
12 6543);

13           (D) the stewardship end result contracting  
14 program under section 604 of the Healthy For-  
15 ests Restoration Act of 2003 (16 U.S.C.  
16 6591c);

17           (E) the Cooperative Forestry Assistance  
18 Act of 1978 (16 U.S.C. 2101 et seq.);

19           (F) the Joint Chiefs’ Landscape Restora-  
20 tion Partnership program;

21           (G) the Watershed Protection and Flood  
22 Prevention Act (16 U.S.C. 1001 et seq.);

23           (H) the Collaborative Forest Landscape  
24 Restoration Program established under section  
25 4003 of Public Law 111–11 (16 U.S.C. 7303);

1 (I) the legacy roads and trails program of  
2 the Department of Agriculture;

3 (J) the working lands for wildlife program  
4 of the Department of Agriculture; and

5 (K) a conservation program under title XII  
6 of the Food Security Act of 1985 (16 U.S.C.  
7 3801 et seq.), including the Regional Conserva-  
8 tion Partnership program under subtitle I of  
9 that title (16 U.S.C. 3871 et seq.).

10 (3) ECOLOGICAL INTEGRITY.—The term “eco-  
11 logical integrity” has the meaning given the term in  
12 section 219.19 of title 36, Code of Federal Regula-  
13 tions (as in effect on the date of enactment of this  
14 Act).

15 (4) ELIGIBLE ENTITY.—The term “eligible enti-  
16 ty” means—

17 (A) a State agency;

18 (B) a unit of local government;

19 (C) a Tribal government;

20 (D) a regional organization;

21 (E) a special district; or

22 (F) a nonprofit organization.

23 (5) FUND.—The term “Fund” means the Out-  
24 door Restoration Fund established by section 3(a).

1           (6) GRANT PROGRAM.—The term “grant pro-  
2           gram” means the restoration and resilience grant  
3           program established by section 5(b).

4           (7) RESTORATION.—The term “restoration”  
5           has the meaning given the term in section 219.19 of  
6           title 36, Code of Federal Regulations (as in effect on  
7           the date of enactment of this Act).

8           (8) RESTORATION AND RESILIENCE  
9           PROJECT.—The term “restoration and resilience  
10          project” means a project designed in accordance  
11          with the best available science to conduct restoration  
12          that improves—

- 13                   (A) forest conditions;  
14                   (B) rangeland health;  
15                   (C) watershed function; or  
16                   (D) wildlife habitat.

17          (9) SECRETARY.—The term “Secretary” means  
18          the Secretary of Agriculture.

19          (10) WILDLAND-URBAN INTERFACE.—The term  
20          “wildland-urban interface” has the meaning given  
21          the term in section 101 of the Healthy Forests Res-  
22          toration Act of 2003 (16 U.S.C. 6511).

23 **SEC. 3. OUTDOOR RESTORATION FUND.**

24          (a) ESTABLISHMENT.—There is established in the  
25          Treasury an Outdoor Restoration Fund.

1 (b) USE.—Amounts in the Fund shall be used by the  
2 Secretary—

3 (1) in coordination with the Council, to carry  
4 out the grant program; and

5 (2) to carry out the Restoration and Resilience  
6 Partnership Program under section 6.

7 (c) SAVINGS PROVISIONS.—

8 (1) COMPLEMENTARY PROGRAMS.—Activities  
9 carried out under this Act shall complement, not du-  
10 plicate or replace, existing Federal conservation, res-  
11 toration, and resilience programs.

12 (2) APPLICABLE LAW.—A restoration and resil-  
13 ience project on Federal land or non-Federal land  
14 developed or implemented using amounts provided  
15 under this Act shall be carried out in accordance  
16 with applicable law and available authorities.

17 (d) SUPPLEMENT, NOT SUPPLANT.—Amounts pro-  
18 vided under this Act shall supplement, not supplant, any  
19 Federal, State, or other funds otherwise made available  
20 to an eligible entity for activities described in this Act.

21 (e) OVERSIGHT.—Not later than 180 days after the  
22 date of enactment of this Act, and annually thereafter,  
23 the Inspector General of the Department of Agriculture  
24 shall prepare and submit to the Committees on Agri-  
25 culture, Nutrition, and Forestry and Appropriations of the

1 Senate and the Committees on Agriculture, Natural Re-  
2 sources, and Appropriations of the House of Representa-  
3 tives a report describing the use, and any abuse or misuse,  
4 as applicable, of the Fund by the Secretary with respect  
5 to—

6 (1) the grant program; and

7 (2) the Restoration and Resilience Partnership  
8 Program established by section 6.

9 **SEC. 4. RESTORATION FUND ADVISORY COUNCIL.**

10 (a) ESTABLISHMENT.—There is established a Res-  
11 toration Fund Advisory Council to provide advice to the  
12 Secretary with respect to the disbursement of amounts  
13 from the Fund for the grant program.

14 (b) MEMBERSHIP.—The Council shall be composed  
15 of—

16 (1) the Secretary;

17 (2) 12 members, to be appointed by the Sec-  
18 retary, of whom—

19 (A) 3 shall be representatives from re-  
20 source-dependent industries, including the agri-  
21 culture, oil and gas, outdoor recreation, or for-  
22 est products industries;

23 (B) 3 shall be national experts in the fields  
24 of natural resource restoration, economic devel-  
25 opment, and community and climate resilience;

1 (C) 3 shall be representatives of conserva-  
2 tion, wildlife, or watershed organizations;

3 (D) 1 shall be a representative of State  
4 government;

5 (E) 1 shall be a representative of a unit of  
6 local government; and

7 (F) 1 shall be a representative of a Tribal  
8 government; and

9 (3) as determined to be necessary by the Sec-  
10 retary, not more than 3 representatives from other  
11 Federal agencies.

12 (c) REPORT.—Not later than 1 year after the date  
13 of enactment of this Act, and annually thereafter, the Sec-  
14 retary, in consultation with the Council, shall submit to  
15 Congress a report describing—

16 (1) the status of any restoration and resilience  
17 projects that received amounts from the Fund, in-  
18 cluding—

19 (A) environmental benefits;

20 (B) restoration achievements;

21 (C) attainment of restoration and habitat  
22 improvement objectives;

23 (D) jobs created and retained;

24 (E) the growth in outdoor industries; and

1 (F) progress towards State-, Tribal-, and  
2 community-level resilience goals; and

3 (2) recommendations to improve coordination,  
4 align Federal resources or existing authorities, and  
5 expand workforce capacity in outdoor industries  
6 through legislative and administrative changes.

7 **SEC. 5. RESTORATION AND RESILIENCE GRANT PROGRAM.**

8 (a) PURPOSES.—The purposes of this section are—

9 (1) to increase the capacity for planning, co-  
10 ordinating, and monitoring restoration and resilience  
11 projects on Federal land and non-Federal land; and

12 (2) to support, on non-Federal land, State,  
13 local, and Tribal—

14 (A) restoration and resilience projects;

15 (B) projects to reduce the risk of, or miti-  
16 gate damage from, wildfires; and

17 (C) projects to expand equitable outdoor  
18 access.

19 (b) ESTABLISHMENT.—There is established a res-  
20 toration and resilience grant program, to be administered  
21 by the Secretary, with the advice of the Council, to provide  
22 grants from the Fund to eligible entities for the purposes  
23 described in subsection (a).

24 (c) REGIONAL COORDINATION.—The Secretary and  
25 the Council shall, to the maximum extent practicable, seek

1 input from, coordinate with, and support existing State  
2 or regional efforts, initiatives, and partnerships to restore  
3 ecological integrity on Federal land and non-Federal land.

4 (d) USE OF FUNDS.—

5 (1) IN GENERAL.—The Secretary shall use  
6 amounts in the Fund to provide capacity grants  
7 under paragraph (2) and implementation grants  
8 under paragraph (3).

9 (2) CAPACITY GRANTS.—

10 (A) IN GENERAL.—Capacity grants shall  
11 be made available to eligible entities for the  
12 purpose described in subsection (a)(1).

13 (B) APPLICATION.—

14 (i) IN GENERAL.—A grant under this  
15 paragraph may only be made to an eligible  
16 entity that submits to the Secretary an ap-  
17 plication at such time, in such manner,  
18 and containing or accompanied by such ad-  
19 ditional information as the Secretary, in  
20 consultation with the Council, may require,  
21 including the information required under  
22 clause (ii).

23 (ii) CONTENTS.—An application sub-  
24 mitted under clause (i) shall contain—

1 (I) a clear and concise expression  
2 of interest;

3 (II) an explanation for how funds  
4 would complement existing Federal  
5 funds; and

6 (III) an estimate of the number  
7 and duration of jobs that would be  
8 created, or sustained, with the funds.

9 (3) IMPLEMENTATION GRANTS.—

10 (A) IN GENERAL.—Implementation grants  
11 shall be made available to eligible entities for  
12 the purpose described in subsection (a)(2).

13 (B) APPLICATION.—A grant under this  
14 paragraph may be made only to an eligible enti-  
15 ty that submits to the Secretary an application  
16 at such time, in such manner, and containing  
17 or accompanied by such information as the Sec-  
18 retary, in consultation with the Council, may  
19 require.

20 (e) PRIORITY.—In carrying out the grant program,  
21 the Secretary, in consultation with the Council, shall give  
22 priority to projects that—

23 (1) create or sustain jobs, employ local or re-  
24 gional labor, or expand the outdoor workforce  
25 through training and education programs;



1           (3) to improve the resilience and carrying ca-  
2           capacity of rangelands in the United States by pre-  
3           venting or mitigating invasive species, such as cheat-  
4           grass, that contribute to rangeland fire; and

5           (4) to reduce uncharacteristic wildfires in the  
6           highest risk areas of the United States by carrying  
7           out, in accordance with applicable law, restoration  
8           and resilience projects.

9           (b) ESTABLISHMENT.—There is established a Res-  
10          toration and Resilience Partnership Program, under which  
11          the Secretary shall carry out restoration and resilience  
12          projects in partnership areas designated under subsection  
13          (c)(1).

14          (c) DESIGNATION OF PARTNERSHIP AREAS.—

15               (1) IN GENERAL.—Not later than 60 days after  
16               the date of enactment of this Act, the Secretary  
17               shall designate, for the purposes of carrying out res-  
18               toration and resilience projects under subsection (e),  
19               any areas of Federal land and non-Federal land that  
20               the Secretary determines to be appropriate.

21               (2) SUBMISSION OF PARTNERSHIP AREAS BY  
22               STATES AND TRIBES.—

23                       (A) IN GENERAL.—The Governor of a  
24                       State or an authorized representative of an In-  
25                       dian Tribe may submit to the Secretary, in

1 writing, a request to designate certain Federal  
2 land or non-Federal land in the State or Indian  
3 Country, respectively, for restoration and resil-  
4 ience projects under subsection (e).

5 (B) INCLUSIONS.—A written request sub-  
6 mitted under subparagraph (A) may include 1  
7 or more maps or recommendations.

8 (d) REQUIREMENTS.—To be eligible for designation  
9 under subsection (e), an area shall—

10 (1) have a high or very high wildfire potential  
11 as determined by—

12 (A) the map of the Forest Service entitled  
13 “Wildfire Hazard Potential Version 2020”; or

14 (B) any other mapping resource or data  
15 source approved by the Secretary that depicts  
16 the risk of wildfires;

17 (2) have high-priority wildlife habitat urgently  
18 in need of restoration, as determined by the Sec-  
19 retary, in consultation with eligible entities and the  
20 applicable Governor or representative of an Indian  
21 Tribe; or

22 (3) in the case of Federal land, be in the  
23 wildland-urban interface.

24 (e) RESTORATION AND RESILIENCE PROJECTS.—

1           (1) IN GENERAL.—Subject to paragraphs (2)  
2           and (3), the Secretary shall carry out restoration  
3           and resilience projects on land designated under sub-  
4           section (c).

5           (2) PRIORITY.—The Secretary shall give pri-  
6           ority to restoration and resilience projects that—

7                   (A) focus on the reintroduction of char-  
8                   acteristic, low-intensity fire in frequent fire re-  
9                   gime ecosystems;

10                   (B) would reduce hazardous fuels by focus-  
11                   ing on small-diameter trees, thinning, and stra-  
12                   tegic fuel breaks;

13                   (C) maximize the retention of old and  
14                   large trees, as appropriate for the forest type;

15                   (D) improve habitat conditions for at-risk  
16                   wildlife; and

17                   (E) improve community resilience in the  
18                   wildland-urban interface.

19           (3) COORDINATION.—The Secretary shall carry  
20           out restoration and resilience projects under this  
21           subsection—

22                   (A) on Federal land, in coordination with  
23                   the Secretary of the Interior, as applicable; and

1 (B) on non-Federal land, in coordination  
2 with eligible entities and other relevant stake-  
3 holders, as determined by the Secretary.

4 (4) REQUIREMENTS.—

5 (A) IN GENERAL.—A restoration and resil-  
6 ience project shall be carried out in accordance  
7 with—

8 (i) the management objectives of an  
9 applicable land or resource management  
10 plan; and

11 (ii) applicable law.

12 (B) INCLUSIONS.—The Secretary may use  
13 existing authorities when carrying out a res-  
14 toration and resilience project on land des-  
15 ignated under subsection (c), including any cov-  
16 ered authority.

17 (C) EXCLUSIONS.—A restoration and resil-  
18 ience project may not be carried out—

19 (i) in a wilderness area or designated  
20 wilderness study area;

21 (ii) to construct a permanent road or  
22 trail;

23 (iii) on any Federal land on which, by  
24 an Act of Congress or Presidential procla-

1                   mation, the removal of vegetation is re-  
2                   stricted or prohibited;

3                   (iv) in an inventoried roadless area; or

4                   (v) to remove old growth stands (as

5                   defined in section 102(e)(1) of the Healthy

6                   Forests Restoration Act of 2003 (16

7                   U.S.C. 6512(e)(1)).

8   **SEC. 7. FUNDING.**

9           (a) IN GENERAL.—There is appropriated, out of any  
10 money in the Treasury not otherwise appropriated,  
11 \$60,000,000,000 for the Fund, to remain available until  
12 expended, of which—

13           (1) \$20,000,000,000 shall be for the grant pro-  
14 gram; and

15           (2) \$40,000,000,000 shall be for the Restora-  
16 tion and Resilience Partnership Program under sec-  
17 tion 6, of which not less than \$20,000,000,000 shall  
18 be for the conduct of restoration and resilience  
19 projects on Federal land under that section.

20           (b) WORKFORCE NEEDS AND EXPENSES.—Funds  
21 made available under subsection (a)(2) shall be available  
22 for staffing, salary, and other workforce needs and ex-  
23 penses relating to the administration of the Restoration  
24 and Resilience Partnership Program under section 6.